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Proposed Priority

Ports of Entry

Types of Facilities and Universe:

Facilities disposing and/or storing hazardous chemicals or wastes which are located at or near ports of entry into the United States. Ports of entry include airports as well as water and land ports of entry.

Geographic Range:

Ports of entry throughout the United States.

Environmental Risks:

The significant environmental risk is the illegal disposal and/or storage of hazardous chemicals or wastes in facilities at or near ports of entry into the United States. Unsafe or improper management of these hazardous materials results in facilities being vulnerable to theft or destruction through intentional acts or accidents. The targeting of such facilities for intentional hazardous releases at the local level, or as the source for hazardous materials to cause incidents elsewhere, presents a Homeland Security risk especially if the owner/operator has little resources to secure the safe operation of the facility. Additionally, unfamiliarity with the environmental regulations, as well as the dangers associated with the hazardous materials and/or wastes, puts warehouse workers and owner/operators at risk for exposure to chemicals that may be subject to the Resource Conservation and Recovery Act (RCRA), as well as other regulations such as the Clean Air Act or the Toxics Substances Control Act.

In some cases, the facilities located in larger population centers are more likely to be scrutinized by federal, state, and local law enforcement thus making them less vulnerable to illegal activity. However, smaller facilities in less populated areas such as along the US/Mexican border may lack the resources and knowledge to ensure secure operation of the facilities. By working with state and local emergency planning agencies, EPA can provide compliance assistance such as workshops, mailings, and information through the media to ensure that all facilities have the attention of federal and local authorities.

In some cases, the communities near these facilities are people of color with a mixture of low income and/or non-English speaking residents and they may face disproportionate exposure to

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Noncompliance Information

Common problems include illegal disposal and failure to properly identify and manage hazardous materials, solids, and wastes. Part of the pattern of noncompliance is due to a lack of awareness of the contents of unlabeled, poorly maintained containers, some of which can become subject to RCRA by being abandoned, illegally stored and/or disposed.

Region 6 inspections show that a pattern of noncompliance is confirmed at border crossing warehouses. Recent inspections at warehouses within port authorities indicate these compliance issues potentially exist at all ports of entry.